

REFERENCE TITLE: local enforcement; immigration

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HCR 2064

Introduced by
Representative Nelson

A CONCURRENT RESOLUTION

ENACTING AND ORDERING SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO LOCAL IMMIGRATION ENFORCEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona, the
2 Senate concurring:

3 1. Under the power of the referendum, as vested in the Legislature,
4 the following measure, relating to local immigration enforcement, is enacted
5 to become valid as a law if approved by the voters and on proclamation of the
6 Governor:

7 AN ACT

8 AMENDING TITLE 11, CHAPTER 7, ARIZONA REVISED STATUTES, BY
9 ADDING ARTICLE 8; RELATING TO LOCAL IMMIGRATION ENFORCEMENT.

10 Be it enacted by the Legislature of the State of Arizona:

11 Section 1. Title 11, chapter 7, Arizona Revised Statutes,
12 is amended by adding article 8, to read:

13 ARTICLE 8. ENFORCEMENT OF IMMIGRATION LAWS

14 11-1051. Cooperation and assistance in enforcement of
15 immigration laws; training

16 A. ALL OFFICIALS, AGENCIES AND PERSONNEL OF COUNTIES,
17 CITIES AND TOWNS SHALL FULLY COMPLY WITH AND, TO THE FULL EXTENT
18 PERMITTED BY LAW, SUPPORT THE ENFORCEMENT OF FEDERAL IMMIGRATION
19 LAWS OF THE UNITED STATES.

20 B. EXCEPT AS PROVIDED IN FEDERAL LAW, OFFICIALS, AGENCIES
21 OR PERSONNEL OF COUNTIES, CITIES AND TOWNS MAY NOT BE PROHIBITED
22 OR IN ANY WAY RESTRICTED FROM SENDING, RECEIVING OR MAINTAINING
23 INFORMATION RELATING TO THE IMMIGRATION STATUS, LAWFUL OR
24 UNLAWFUL, OF ANY INDIVIDUAL OR EXCHANGING THAT INFORMATION WITH
25 ANY OTHER FEDERAL, STATE OR LOCAL GOVERNMENTAL ENTITY FOR THE
26 FOLLOWING OFFICIAL PURPOSES:

27 1. DETERMINATION OF ELIGIBILITY FOR ANY FEDERAL, STATE OR
28 LOCAL PUBLIC BENEFIT, SERVICE OR LICENSE THAT IS RESTRICTED IN
29 WHOLE OR IN PART ON THE BASIS OF IMMIGRATION STATUS.

30 2. VERIFICATION OF ANY CLAIM OF LEGAL DOMICILE IF LEGAL
31 DOMICILE IS REQUIRED BY LAW OR CONTRACT.

32 3. CONFIRMATION OF THE IDENTITY OF ANY PERSON WHO IS
33 DETAINED.

34 C. COUNTY SHERIFFS AND POLICE DEPARTMENTS OF CITIES AND
35 TOWNS MAY IMPLEMENT A PROGRAM TO TRAIN PEACE OFFICERS TO
36 INVESTIGATE VIOLATIONS OF FEDERAL IMMIGRATION LAWS. THE
37 TRAINING SHALL BE FUNDED BY ANY SOURCE OF FEDERAL FUNDING OR BY
38 THE STATE IF FEDERAL FUNDING IS UNAVAILABLE. ON OR BEFORE
39 JANUARY 1, 2018, AT LEAST TEN PER CENT OF THE PEACE OFFICERS IN
40 EACH JURISDICTION SHALL BE TRAINED BY AGENTS OF THE UNITED
41 STATES IMMIGRATION AND CUSTOMS ENFORCEMENT PURSUANT TO SECTION
42 287(g) OF THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT
43 RESPONSIBILITY ACT OF 1996.

44 2. The Secretary of State shall submit this proposition to the voters
45 at the next general election as provided by article IV, part 1, section 1,
46 Constitution of Arizona.